

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

Case No. 10-78337

MILAGROS RODRIGUEZ,

**THIRD AMENDED
CHAPTER 13 PLAN**

Debtor.

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1. **Plan Funding:** The future earnings of the Debtor and all tax refunds received by the Debtor are submitted to the supervision and control of the trustee and the Debtor shall pay to the trustee, inclusive of trustee fees, for a total period not exceeding 60 months, the sum of:

- \$ 1,250.00 commencing November 1, 2010, through and including March 1, 2011, \$4,290 commencing April 1, 2011 through April 1, 2011, and \$1,315 commencing May 15, 2011, through October 1, 2015.

2. **Manner of Payment:** From the payments so received, the trustee shall make disbursements as follows:

(a) Full payment in deferred cash payments of all claims entitled to priority under 11 U.S.C. Section 507(a)(1) and (a)(8), including the Chapter 13 Trustee's commissions.

(b) All holders of secured claims shall retain their liens and be paid as follows: Pre-petition mortgage arrears due to BAC Home Loan Servicing LP, on behalf of Bank of America Home Loans, for account number 127015222, in the amount of \$61,017.28, to be paid through the plan. All post-petition payments to BAC Home Loan Servicing shall be paid outside of the Plan.

(c) Subsequent to distribution to priority creditors, the trustee, dividends to unsecured creditors whose claims are duly allowed as follows: Pro rata distribution to all timely filed proofs of claim of not less than 100%.

3. All lease agreements are hereby assumed, unless specifically rejected as follows: not applicable.

4. Throughout the term of this plan, debtor agrees that debtor will not incur post petition debt over \$1,500.00 without written consent of the Chapter 13 trustee or the Court.

5. During the pendency of this case, if unsecured creditors are paid, pursuant to paragraph 2(c), less than one hundred percent (100%), the debtor(s) shall provide the trustee with signed copies of filed federal and state tax returns for each year no later than April 15th of the year following the tax period. Indicated tax refunds are to be paid to the Trustee upon receipt;

however no later than June 15th of the year in which the tax returns are filed.

6. Title to the Debtor's property will vest in the Debtor upon completion of the plan or dismissal of the case, unless otherwise provided in the order confirming the plan.

Dated: March 9, 2011

s/Milagros Rodriguez
Milagros Rodriguez
Debtor

s/Norma E. Ortiz
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